EXAMINER'S AMENDMENT

1.   An examiner's amendment to the record appears below. Should the changes and/or

additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR

1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the

payment of the issue fee.

2.   Authorization for this examiner's amendment was given in a telephone interview with

David Platz on January 13, 2010.

3.   Claims 36-62 and 64-71 (renumbered as 1-35) are allowed.

        The application has been amended as follows:

1.   Claim 36, line 25, **DELETE** "desearlizing" **INSERT** therefor – deserializing—

2.   Claim 49, line 26, **DELETE** "desearlizing" **INSERT** therefor – deserializing—

3.   Claim 61, line 28, **DELETE** "desearlizing" **INSERT** therefor – deserializing--

4.   The following is an examiner's statement of reasons for allowance:

5.   The prior art of record fails to teach or suggest the claimed invention individually or in

combination the limitation of executing an operating system that includes a shell and a kernel,

the kernel of the operating system including a file system that is encapsulated by a database

management program…wherein the database management program encapsulates the file system

by handling file system access requests from the one or more user mode applications, wherein

the one or more applications are configured to interface with one or more functions of an

operating system application program interface that send read/write requests to the database

management program of the operating system…deserializing by the database management

program, the specific file into data indicative of a specific object exposing, by the operating

system, the specific object to the one or more user space applications, as set forth in claim 36, 49, and 61.

6.   The closest prior art of record, Shutt et al. taken with Barney et al. and Sandhu et al., discloses a data protection system that integrates a database with Windows Explorer in the Microsoft Windows 9X and NT Environments that mimics the Windows Explorer user interface, enabling the user to apply already known use paradigms. The data protection system appears as an extension to Windows Explorer and visibly appears as a folder item called the data vault. The data vault is a virtual disk that represents the underlying database. The database creates records and stores information about files backed up to removable secondary storage medium. However, the prior art does not teach or suggest the limitations cited above as being free of any prior art when read in the claims as a whole.

7.   Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

CONCLUSION

8.   Patent applicants with problems or questions regarding electronic images that can be viewed in the Patent Application Information Retrieval system (PAIR) can now contact the USPTO's Patent Electronic Business Center (Patent EBC) for assistance. Representatives are available to answer your questions daily from 6 am to midnight (EST). The toll free number is (866) 217-9197. When calling please have your application serial or patent number, the type of document you are having an image problem with, the number of pages and the specific nature of

the problem. The Patent Electronic Business Center will notify applicants of the resolution of

the problem within 5-7 business days. Applicants can also check PAIR to confirm that the

problem has been corrected. The USPTO's Patent Electronic Business Center is a complete

service center supporting all patent business on the Internet. The USPTO's PAIR system

provides Internet-based access to patent application status and history information. It also

enables applicants to view the scanned images of their own application file folder(s) as well as

general patent information available to the public.

9.   For all other customer support, please call the USPTO Call Center (UCC) at 800-786-

9199. The USPTO's official fax number is 571-272-8300.

10.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to C. Dune Ly, whose telephone number is (571) 272-0716. The

examiner can normally be reached on Monday-Friday from 8 A.M. to 4 P.M.

11.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Tim Vo, can be reached on (571) 272-3642.

/Cheyne D Ly/
Primary Examiner, Art Unit 2168